

USDS SDNY
DOCUMENT
LAWYERS
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: _____

Davis Wright Tremaine LLP

ANCHORAGE BELLEVUE LOS ANGELES NEW YORK PORTLAND SAN FRANCISCO SEATTLE SHANGHAI WASHINGTON, D.C.  
**ROBERT D. BALIN**  
 DIRECT (212) 603-6440 1633 BROADWAY TEL (212) 489-8230  
*robbalin@dwt.com* NEW YORK, NY 10019-6708 FAX (212) 489-8340  
[www.dwt.com](http://www.dwt.com)

April 21, 2008

Via Fax: (914) 390-4152

Honorable Kenneth M. Karas  
 United States District Judge  
 United States Courthouse  
 300 Quarropas Street, Chambers 533  
 White Plains, NY 10601-4150

## MEMO ENDORSED

Re: Swordpen.com, Inc. v. Henry Holt and Co., et al  
S.D.N.Y. Civil Action No. 07 Civ. 10955 (KMK)

Dear Judge Karas:

We represent defendants Henry Holt and Company, LLC and Karen Katz in the above-captioned action. Due to the timing of the Jewish holidays, I am writing to request a short adjournment of the dismissal motion briefing schedule. Plaintiff's counsel, Mr. Minsky, has kindly consented to the requested adjournment.

The motion to dismiss is currently due to be served on April 28, 2008. The parties respectfully request that the date by which defendants must serve their motion be extended by one week to May 5, 2008. Plaintiff's opposition would accordingly be due June 4, 2008 and reply papers would be due June 23, 2008. No oral argument date has yet been set.

This is the second request for a short extension (The first request was granted) The parties mutually agree to this request and no other scheduled dates will be affected by the granting of the request.

Respectfully,

*Robert D. Balin*  
 Robert D. Balin

*Granted*

cc: Bruce Minsky, Esq. (via fax)